

Article 9.5: Noise Abatement and Control

*(“Noise Abatement and Control”
added 9–18–1973 by O–11122 N.S.)*

Division 1: General

(“General” added 9–18–1973 by O–11122 N.S.)

§59.5.0101 Purpose and Intent

The Council of The City of San Diego finds and declares that:

- (a) Inadequately controlled noise presents a growing danger to the health and welfare of the residents of the City of San Diego;
- (b) The making and creating of disturbing, excessive, or offensive noises within the jurisdictional limits of the City of San Diego is a condition which has persisted, and the level and frequency of occurrences of such noises continue to increase;
- (c) The making, creation, or continuance of such excessive noises, which are prolonged or unusual in their time, place, and use, affect and are a detriment to the public health, comfort, convenience, safety, welfare, and prosperity of the residents of the City of San Diego;
- (d) Every person is entitled to an environment in which the noise is not detrimental to his or her life, health, or enjoyment of property; and
- (e) The necessity, in the public interest, for the provisions and prohibitions hereinafter contained and enacted is declared to be a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare, prosperity, peace, and quiet of the City of San Diego and its inhabitants.

(Amended 9–22–1976 by O–11916 N.S.)

§59.5.0102 Definitions

Whenever the following words and phrases are used in this article, they shall have the meaning ascribed to them in this section:

- (a) **Average Sound Level** — a sound level typical of the sound levels at a certain place during a given period of time, averaged by the general rule of combination for sound levels, said general rule being set forth in American National Standard Specifications for Sound Level Meters SL 4-1971. Average sound level is also called equivalent continuous sound level.
- (b) **Community Noise Equivalent Level** — an average sound level during a 24-hour day, obtained after addition of five (5) decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m., and after addition of ten (10) decibels to sound levels in the night before 7:00 a.m. and after 10:00 p.m.
- (c) **Construction Equipment** — any tools, machinery, or equipment used in connection with construction operations, including all types of “special construction” equipment as defined in the pertinent sections of the California Vehicle Code when used in the construction process on any construction site, regardless of whether such construction site be located on-highway or off-highway.
- (d) **Decibel (dB)** — a unit measure of sound (noise) level.
- (e) **Emergency Work** — work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from imminent exposure to danger of damage, or work by public or private utilities when restoring utility service.
- (f) **Motor Vehicles** — any and all self-propelled vehicles as defined in the California Vehicle Code, specifically including but not limited to “mini-bikes” and “go-carts.”
- (g) **Noise Level** — the same as “sound level.” The terms may be used interchangeably herein.
- (h) **Person** — a person, firm, association, copartnership, joint venture, corporation, or any entity, public or private.
- (i) **Sound Level** — in decibels, that quantity measured with a sound level meter as defined herein, by use of the “A” frequency weighting and “fast” time averaging unless some other time averaging is specified.
- (j) **Sound Level Meter** — an instrument for the measurement of sound, including a microphone, an amplifier, an attenuator, networks at least for the standardized frequency weighting A, and an indicating instrument having at

least the standardized dynamic characteristic “fast,” as specified in American National Standard Specifications for Sound Level Meters Sl. 4–1971 or its successor.

- (k) Sound Amplifying Equipment — equipment as specified in Section 33.0203b of the San Diego Municipal Code.
- (l) Disturbing, Excessive or Offensive Noise — any sound or noise conflicting with the criteria or levels set forth in this article.
- (m) Supplementary Definitions of Technical Terms — definitions of technical terms not defined herein shall be obtained from American National Standard Acoustical Terminology, Sl.1–1960 (R– 1976).

(Amended 9–22–1976 by O–11916 N.S.)